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1723 *A*

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PTO/SB/21 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/031,112
	Filing Date	January 14, 2002
	First Named Inventor	William H. Cork, et al.
	Group Art Unit	1723
	Examiner Name	Terry K. Cecil
Total Number of Pages in This Submission *	Attorney Docket Number	F-5629 (0360-0017.01)

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - \$180.00 filing fee - Check No. <u>14965</u> - 5 U.S. Patent References - Certificate of Mailing - Return Receipt Postcard
Remarks		
By U.S. Postal Service Express Mail Label No. EV321708265US		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd. Gary W. McFarron, Esq. (Reg. No. 27,357)
Signature	<i>Gary W. McFarron</i>
Date	October 30, 2003

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express ^{Express} mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <u>October 30, 2003</u>			
Typed or printed name	May J. Casimiro		
Signature	<i>May J. Casimiro</i>	Date	October 30, 2003

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PATENT

Attorney Docket No. F-5629 (0360-0017.01)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
)
William H. Cork, et al.)
)
Serial No.: 10/031,112)
)
Filed: January 14, 2002)
)
Group Art No.: 1723)
)
Examiner: Not yet Assigned)
)
For: MEDICAL SYSTEM, METHOD AND)
APPARATUS EMPLOYING MEMS)

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Date of Deposit October 30, 2003

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NAME May I. Casimiro

SIGNATURE May I. Casimiro

Certificate of Mailing Under 37 CFR 1.10

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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1. Transmittal Form PTO/SB/21 (1 sheet);
2. Supplemental Information Disclosure Statement (2 sheets);
3. Information Disclosure Statement By Applicant PTO/SB/08A (1 sheet);
4. 5 Prior U.S. Patents;
5. Fee Transmittal PTO/SB/17 (1 sheet);
6. Check No. 14965 in the amount of \$180.00 filing fee;
7. Certificate of Mailing (1 sheet); and
8. Return Receipt Postcard.

Name: May I. Casimiro

Signed: May I. Casimiro



PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

Compleat if Known

Application Number	10/031,112
Filing Date	January 14, 2002
First Named Inventor	William H. Cork, et al.
Examiner Name	Terry K. Cecil
Art Unit	1723
Attorney Docket No.	F-5629 (0360-0017.01)

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit
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Deposit
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50/1039

Cook, Alex, McFarron, Manzo, Cummings
& Mehler, Ltd.

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	=
Independent Claims	-3** =	X	=
Multiple Dependent			=

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

IDS

180.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 180.00

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Gary W. McFarron, Esq.	Registration No. (Attorney/Agent)	27,357	Telephone	312-236-8500
Signature	<i>Gary W. McFarron</i>	Date	October 30, 2003		

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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PATENT

Attorney Docket No. F-5629 (0360-0017.01)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)

William H. Cork, et al.)

Serial No.: 10/031,112)

Filed: January 14, 2002)

Group Art No.: 1723)

Examiner: Examiner Terry Cecil)

For: MEDICAL SYSTEM, METHOD AND)
APPARATUS EMPLOYING MEMS)

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label No.: EV321708265 US

Date of Deposit October 30, 2003

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NAME May Casimiro

SIGNATURE May I. Casimiro

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.97, Applicant hereby calls the Examiner's attention to the document listed on the attached form, which document may be material to the examination of this application. A copy of the document is enclosed herewith for the Examiner's consideration.

No inference should be drawn that any apparatus or method disclosed is equivalent to the subject invention.

The citation of this document is not to be construed as an assertion that more pertinent art could not possibly be in

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existence. Citation of any document herein is not to be construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicant also respectfully reserves the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of the documents discussed herein, that may be cited by the Examiner in rejecting a claim in the instant patent application.

This Supplemental Information Disclosure Statement is being filed after the mailing date of a first Office Action on the merits but before a final action or an action that closes prosecution. Accordingly, a check is enclosed for the amount of \$180.00, the fee for the submission of this Information Disclosure Statement. If any additional fee is required, then authorization is hereby given to charge that amount to Deposit Account 50-1039.

Respectfully submitted,

Date: October 30, 2003

By: 

Gary W. McFarron, Esq.
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Fax: (312) 236-8176

Attorneys for Applicant

**Complete if Known**

(Use as many sheets as necessary)

of 1

Application Number	10/031,112
Filing Date	January 14, 2002
First Named Inventor	W. H. Cork et al.
Art Unit	1723
Examiner Name	Terry K. Cecil
Attorney Docket Number	F5629 (0360-0017.01)

[illegible][illegible]Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.¹ Applicant's unique citation designation number (optional).² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.⁶ Applicant is to place a check mark here if English language Translation is attached.

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